

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOHN QUINTERO, et al.,

Case No. 3:13-cv-00008-MMD-VPC

Plaintiffs,

ORDER

v.

JACK PALMER, et al.,

Defendants.

This prisoner civil rights action comes before the Court on plaintiff's application to proceed *in forma pauperis* (dkt no. 1) and his motion for an enlargement of time to amend the complaint (dkt. no. 12). The matter was not resolved during the mediation stay. (See dkt. no. 11.)

It is therefore ordered that, upon the Court's finding that plaintiff John Quintero is unable to pay a substantial initial partial filing fee, the application to proceed *in forma pauperis* (dkt. no. 1) is granted, subject to the remaining provisions herein. Plaintiff shall not be required to pay an initial partial filing fee. However, even if this action is dismissed, the full \$350.00 filing fee still must be paid pursuant to 28 U.S.C. § 1915(b)(2).

It is further ordered that plaintiff is permitted to maintain this action to a conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor. This order granting *in forma pauperis* status shall not extend to the issuance of subpoenas at government expense.


1 It is further ordered that, pursuant to 28 U.S.C. § 1915(b)(2), the Nevada
2 Department of Corrections shall pay to the Clerk of the United States District Court,
3 District of Nevada, 20% of the preceding month's deposits to plaintiff's account (in the
4 months that the account exceeds \$10.00) until the full \$350.00 filing fee has been paid
5 for this action. The Clerk shall send a copy of this order to the Finance Division of the
6 Clerk's Office. The Clerk shall also send a copy of this order to the attention of the Chief
7 of Inmate Services for the Nevada Department of Corrections, P.O. Box 7011, Carson
8 City, NV 89702.

9 It is further ordered that plaintiff's motion for an enlargement of time (dkt. no. 12)
10 is granted such that the time for plaintiff to amend the complaint is extended up to and
11 including December 20, 2013. This is an extraordinarily long period of time to take such
12 action, even allowing for limitations on access to resources in the institutional
13 environment. Plaintiff should not assume that further extension will be freely granted
14 thereafter.

15 It is further ordered that the stay previously entered herein is lifted. The Court
16 will establish deadlines for possible acceptance of service and responding to the
17 pleadings in an order issued following the filing of an amended complaint or the
18 expiration of the time for doing so.

19 It is further ordered that, henceforth, plaintiff shall serve upon defendants'
20 counsel a copy of every pleading, motion or other document submitted for consideration
21 by the Court and shall attach a certificate of such service with the paper submitted.
22 Plaintiff shall direct service to the individual attorney named in the notice of appearance,
23 at the address stated therein. The Court may disregard any paper received by a judge
24 that has not been filed with the Clerk and any paper which fails to include a certificate
25 showing proper service.

26 DATED THIS 1st day of October 2013.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE